

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
(TYLER DIVISION)**

ROBERT BERG,

Plaintiff,

- against -

M&F WESTERN PRODUCTS, INC.

Defendant.

Docket No. 6:19-cv-00418-JDK

**PLAINTIFF’S MOTION FOR LEAVE TO
FILE AMENDED PRETRIAL DISCLOSURES**

Plaintiff Robert Berg (Plaintiff”), via counsel, respectfully submits this opposed motion for the Court’s leave to file amended pretrial disclosures. Plaintiff’s original disclosures were served on Defendant M&F Western Products, Inc. (“Defendant”) on October 14, 2020 (the “Disclosures”).

At the time the Disclosures were served, Plaintiff had yet to depose any of Defendant’s witnesses, and Plaintiff had yet to receive over 3,000 pages of documents from his former counsel Jackson Walker LLP. Furthermore, by Order dated October 22, 2020 [Dkt. # 58], the Court extended the fact discovery deadline through November 13, 2020. Under these circumstances, amendments to the Disclosures are warranted as new information was obtained subsequent to October 14, 2020.

Plaintiff met and conferred with Defendant's counsel, who opposes this motion. Even though Plaintiff never filed the Disclosures with the Court, Defendant moved to strike the Disclosures [Dkt. # 57], which motion remains pending.

On November 24, 2020, to facilitate the process of preparing the joint pretrial order, exhibit list and witness list, Plaintiff served Amended Pretrial Disclosures. However, such amended disclosures have not been filed with the Court. For the Court's consideration, a copy of Plaintiff's Amended Pretrial Disclosures is attached hereto as Exhibit A.

Dated: November 25, 2020
Valley Stream, NY

Respectfully submitted:

/s/richardliebowitz/
Richard Liebowitz
LIEBOWITZ LAW FIRM, PLLC
11 Sunrise Plaza, Suite 305
Valley Stream, NY 11580
516-233-1660
RL@LiebowitzLawFirm.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, Richard Liebowitz, hereby certify that a true and correct copy of the foregoing MOTION FOR LEAVE TO FILE AMENDED PRETRIAL DISCLOSURES was served on all counsel of record via CM/ECF on November 25, 2020.

/s/richardliebowitz/
Richard Liebowitz